

CLOSED

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:00-cv-07089-NRB**

The Arbitron Company v. On Top
Assigned to: Judge Naomi Reice Buchwald
Demand: \$0
Related Case: 1:04-cv-09212-NRB
Cause: 28:1331 Fed. Question: Breach of Contract

Date Filed: 09/20/2000
Jury Demand: None
Nature of Suit: 190 Contract: Other
Jurisdiction: Federal Question

Plaintiff

The Arbitron Company
a division of Ceridian Corporation

represented by **Alfred R. Fabricant**
Ostrolenk, Faber, Gerb & Soffen,
L.L.P.
1180 Avenue of the Americas
New York, NY 10036
(212) 382-0700
LEAD ATTORNEY

V.

Defendant

On Top Communications, Inc.
doing business as
WRXZ-FM

A CERTIFIED COPY
J. MICHAEL McMAHON, CLERK

BY

Manos Quintero
DEPUTY CLERK

Date Filed	#	Docket Text
09/20/2000	1	COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 384901. (bm) (Entered: 09/21/2000)
09/20/2000	2	RULE 1.9 CERTIFICATE filed by The Arbitron Company . (bm) (Entered: 09/21/2000)
09/20/2000		Magistrate Judge Michael H. Dolinger is so Designated. (bm) (Entered: 09/21/2000)
01/23/2001	3	Affidavit of service as to On Top by mail on 10/2/00. (sac) (Entered: 01/24/2001)
03/01/2001	4	NOTICE OF INITIAL PRETRIAL CONFERENCE: initial pretrial conference scheduled for 3/8/01 at 12:00 p.m. in Courtroom 21A, at the U.S. Courthouse, 500 Pearl St. (signed by Judge Naomi R. Buchwald) (sac) (Entered: 03/02/2001)
03/08/2001		Pretrial Conference held before Judge Naomi R. Buchwald . (jp)

		(Entered: 03/12/2001)
03/30/2001	5	Order of discontinuance of action w/out costs and w/out prejudice to restoring the action to the Court's calendar if the application to restore the action is made w/in 30 days. (signed by Judge Naomi R. Buchwald) (ae) (Entered: 04/03/2001)
03/30/2001		Case closed. (ae) (Entered: 04/03/2001)
05/09/2001	6	ORDER, the Clerk of the Court shall restore the case to this Court's active calender ; Pltff shall file a motion for a default judgment no later than 5/17/01 and returnable on 5/29/01 (signed by Judge Naomi R. Buchwald); Copies mailed. (kg) (Entered: 05/10/2001)
05/09/2001		Case reopened. (kg) (Entered: 05/10/2001)
05/21/2001	7	NOTICE OF MOTION (filed on service) by The Arbitron Company; for an order pursuant to Rule 55(b)(2) fo the F.R.C.P. for default judgment against The Arbitron Company ; w/ attch. affidavit in support Douglas Q. Hahn; Return date 5/29/01. (pl) (Entered: 05/23/2001)
05/30/2001	8	DEFAULT JUDGMENT #01,1040; it is ordered, adjudged and decreed that the pltff have judgment against deft, On Top Communications Inc., d/b/a WRXZ-FM, in the liquidated amount of \$66,197.16, with interest at 1.5% per month compounded quaterly from 10/1/99, amounting to \$87,841.34 plus costs and disbursements of this action in the amount of \$190.00, amounting in all to \$88,031.34. (signed by Judge Naomi R. Buchwald) Entered On Docket: 5/31/01. (sac) (Entered: 05/31/2001)
05/30/2001		Case closed. (sac) (Entered: 05/31/2001)
11/18/2004	9	JUDGMENT #04,2090 in favor of plaintiff and against defendant, in the amount of \$ 473,124.34. (Signed by Judge Naomi Reice Buchwald on 11/9/04) (jf,) (Entered: 11/18/2004)
12/09/2004		Mailed notice of Right to Appeal to Attorney(s) of Record: Alfred Ross Fabricant. (snu,) (Entered: 12/09/2004)